

02-18-00

A

jc557 U.S. PTO
02/17/00

(Rev. 80-7/99 Pub. 605)

FORM 4-1

4-3

Practitioner's Docket No. 00138

PATENT

jc530 U.S. PTO
09/506189
02/17/00

Preliminary Classification:

Proposed Class:

Subclass:

NOTE: "All applicants are requested to include a preliminary classification on newly filed patent applications. The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand corner of the letter of transmittal accompanying the application papers, for example 'Proposed Class 2, subclass 129.'" M.P.E.P. § 601, 7th ed.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Simon Robert Smith and Richard Paul Whittington

WARNING: 37 C.F.R. § 1.41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors.

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(i) is filed supplying or changing the name or names of the inventor or inventors."

For (title): METHOD FOR CONSTRUCTING A PROCESS-DRIVEN INFORMATION SYSTEM

CERTIFICATION UNDER 37 C.F.R. § 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this New Application Transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 2-17-00, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL197551077US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

TONYA WILLIAMS

(type or print name of person mailing paper)

Tonya Williams

Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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09506189 021700

1. Type of Application

This new application is for a(n)

(check one applicable item below)

☒ Original (nonprovisional)

☐ Design

☐ Plant

WARNING: Do not use this transmittal for a completion in the U.S. of an International Application under 35 U.S.C. § 371(c)(4), unless the International Application is being filed as a divisional, continuation or continuation-in-part application.

WARNING: Do not use this transmittal for the filing of a provisional application.

NOTE: If one of the following 3 items apply, then complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED and a NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION.

☐ Divisional.

☐ Continuation.

☐ Continuation-in-part (C-I-P).

2. Benefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

NOTE: A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U.S.C. § 112. Each prior application must also be:

(i) An international application entitled to a filing date in accordance with PCT Article 11 and designating the United States of America; or

(ii) Complete as set forth in § 1.51(b); or

(iii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16; or

(iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(f) within the time period set forth in § 1.53(f).

37 C.F.R. § 1.78(a)(1).

NOTE: If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., or benefit of a prior provisional application is claimed, then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120, 121 or 365(c). (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

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WARNING: When the last day of pendency of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, any nonprovisional application claiming benefit of the provisional application must be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 1.78(a)(3).

☒ The new application being transmitted claims the benefit of prior ^{U.S.} application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

 9 Pages of specification

 2 Pages of claims

 10 Sheets of drawing

WARNING: DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. For comments on proposed then-new 37 C.F.R. § 1.84, see Notice of March 9, 1988 (1990 O.G. 57-62).

NOTE: "Identifying indicia, if provided, should include the application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application. This information should be placed on the back of each sheet of drawing a minimum distance of 1.5 cm. (5/8 inch) down from the top of the page . . ." 37 C.F.R. § 1.84(c).

(complete the following, if applicable)

☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. § 1.84(b).

☐ formal

☒ informal

B. Other Papers Enclosed

 2 Pages of declaration and power of attorney

 1 Pages of abstract

 Other

4. Additional papers enclosed

☐ Amendment to claims

☐ Cancel in this applications claims _____ before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☐ Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)

☒ Preliminary Amendment

☐ Information Disclosure Statement (37 C.F.R. § 1.98)

☐ Form PTO-1449 (PTO/SB/08A and 08B)

☐ Citations

- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☐ Other

5. Declaration or oath (including power of attorney)

NOTE: A newly executed declaration is not required in a continuation or divisional application provided that the prior nonprovisional application contained a declaration as required, the application being filed is by all or fewer than all the inventors named in the prior application, there is no new matter in the application being filed, and a copy of the executed declaration filed in the prior application (showing the signature or an indication thereon that it was signed) is submitted. The copy must be accompanied by a statement requesting deletion of the names of person(s) who are not inventors of the application being filed. If the declaration in the prior application was filed under § 1.47, then a copy of that declaration must be filed accompanied by a copy of the decision granting § 1.47 status or, if a nonsigning person under § 1.47 has subsequently joined in a prior application, then a copy of the subsequently executed declaration must be filed. See 37 C.F.R. §§ 1.63(d)(1)–(3).

NOTE: A declaration filed to complete an application must be executed, identify the specification to which it is directed, identify each inventor by full name including family name and at least one given name, without abbreviation together with any other given name or initial, and the residence, post office address and country or citizenship of each inventor, and state whether the inventor is a sole or joint inventor. 37 C.F.R. § 1.63(a)(1)–(4).

NOTE: "The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.62, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(f) is filed supplying or changing the name or names of the inventor or inventors." 37 C.F.R. § 1.41(a)(1).

☒ Enclosed

Executed by

(check all applicable boxes)

☒ Inventor(s).

☐ legal representative of inventor(s).
37 C.F.R. §§ 1.42 or 1.43.

☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

☐ This is the petition required by 37 C.F.R. § 1.47 and the statement required by 37 C.F.R. § 1.47 is also attached. See item 13 below for fee.

☐ Not Enclosed.

NOTE: Where the filing is a completion in the U.S. of an International Application or where the completion of the U.S. application contains subject matter in addition to the International Application, the application may be treated as a continuation or continuation-in-part, as the case may be, utilizing ADDED PAGE FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.

☐ Application is made by a person authorized under 37 C.F.R. § 1.41(c) on behalf of all the above named inventor(s).

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(The declaration or oath, along with the surcharge required by 37 C.F.R. § 1.16(e) can be filed subsequently).

- ☐ Showing that the filing is authorized.
(not required unless called into question. 37 C.F.R. § 1.41(d))

6. Inventorship Statement

WARNING: If the named inventors are each not the inventors of all the claims an explanation, including the ownership of the various claims at the time the last claimed invention was made, should be submitted.

The inventorship for all the claims in this application are:

☒ The same.

or

- ☐ Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,
- ☐ is submitted.
- ☐ will be submitted.

7. Language

NOTE: An application including a signed oath or declaration may be filed in a language other than English. An English translation of the non-English language application and the processing fee of \$130.00 required by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within such time as may be set by the Office. 37 C.F.R. § 1.52(d).

- ☒ English
- ☐ Non-English
- ☐ The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).

8. Assignment

☒ An assignment of the invention to THE SALAMANDER ORGANIZATION LTD

- ☒ is attached. A separate ☒ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.

☐ will follow.

NOTE: "If an assignment is submitted with a new application, send two separate letters—one for the application and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).

WARNING: A newly executed "CERTIFICATE UNDER 37 C.F.R. § 3.73(b)" must be filed when a continuation-in-part application is filed by an assignee. Notice of April 30, 1993, 1150 O.G. 62-64.

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9. Certified Copy

Certified copy(ies) of application(s)

GB	9903830.0	19 February 1999
Country	Appln. No.	Filed
Country	Appln. No.	Filed
Country	Appln. No.	Filed

from which priority is claimed

☐ is (are) attached.☒ will follow.

NOTE: The foreign application forming the basis for the claim for priority must be referred to in the oath or declaration. 37 C.F.R. § 1.55(a) and 1.63.

NOTE: This item is for any foreign priority for which the application being filed directly relates. If any parent U.S. application or International Application from which this application claims benefit under 35 U.S.C. § 120 is itself entitled to priority from a prior foreign application, then complete item 18 on the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

10. Fee Calculation (37 C.F.R. § 1.16)A. ☒ Regular application

CLAIMS AS FILED			
Number filed	Number Extra	Rate	Basic Fee 37 C.F.R. § 1.16(a) \$780.00 690
Total Claims (37 C.F.R. § 1.16(c))	7 - 20 =	×	\$ 18.00
Independent Claims (37 C.F.R. § 1.16(b))	1 - 3 =	×	\$ 78.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))		+	\$260.00

☐ Amendment cancelling extra claims is enclosed.☐ Amendment deleting multiple-dependencies is enclosed.☐ Fee for extra claims is not being paid at this time.

NOTE: If the fees for extra claims are not paid on filing they must be paid or the claims cancelled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency. 37 C.F.R. § 1.16(d).

Filing Fee Calculation \$ 690

B. ☐ Design application
(\$310.00—37 C.F.R. § 1.16(f))

Filing Fee Calculation \$

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- C. ☐ Plant application
(\$480.00—37 C.F.R. § 1.16(g))

Filing fee calculation

\$ _____

11. Small Entity Statement(s)

- ☒ Statement(s) that this is a filing by a small entity under 37 C.F.R. § 1.9 and 1.27 is (are) attached.

WARNING: "Status as a small entity must be specifically established in each application or patent in which the status is available and desired. Status as a small entity in one application or patent does not affect any other application or patent, including applications or patents which are directly or indirectly dependent upon the application or patent in which the status has been established. The refiling of an application under § 1.53 as a continuation, division, or continuation-in-part (including a continued prosecution application under § 1.53(d)), or the filing of a reissue application requires a new determination as to continued entitlement to small entity status for the continuing or reissue application. A nonprovisional application claiming benefit under 35 U.S.C. § 119(e), 120, 121, or 365(c) of a prior application, or a reissue application may rely on a statement filed in the prior application or in the patent if the nonprovisional application or the reissue application includes a reference to the statement in the prior application or in the patent or includes a copy of the statement in the prior application or in the patent and status as a small entity is still proper and desired. The payment of the small entity basic statutory filing fee will be treated as such a reference for purposes of this section." 37 C.F.R. § 1.28(a)(2).

WARNING: "Small entity status must not be established when the person or persons signing the . . . statement can *unequivocally* make the required self-certification." M.P.E.P., § 509.03, 6th ed., rev. 2, July 1996 (emphasis added).

(complete the following, if applicable)

- ☐ Status as a small entity was claimed in prior application
_____/_____, filed on _____, from which benefit
is being claimed for this application under:

35 U.S.C. § ☐ 119(e),
☐ 120,
☐ 121,
☐ 365(c),

and which status as a small entity is still proper and desired.

- ☐ A copy of the statement in the prior application is included.

Filing Fee Calculation (50% of A, B or C above)

\$ 345

NOTE: Any excess of the full fee paid will be refunded if small entity status is established and a refund request are filed within 2 months of the date of timely payment of a full fee. The two-month period is not extendable under § 1.136. 37 C.F.R. § 1.28(a).

12. Request for International-Type Search (37 C.F.R. § 1.104(d))

(complete, if applicable)

- ☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. Fee Payment Being Made at This Time

☐ Not Enclosed

☐ No filing fee is to be paid at this time.
(This and the surcharge required by 37 C.F.R. § 1.16(e) can be paid subsequently.)

☒ Enclosed

☒ Filing fee \$ 345

☒ Recording assignment
(\$40.00; 37 C.F.R. § 1.21(h))
(See attached "COVER SHEET FOR
ASSIGNMENT ACCOMPANYING NEW
APPLICATION".) \$ 40

☐ Petition fee for filing by other than all the
inventors or person on behalf of the inventor
where inventor refused to sign or cannot be
reached
(\$130.00; 37 C.F.R. §§ 1.47 and 1.17(i)) \$ _____

☐ For processing an application with a
specification in
a non-English language
(\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k)) \$ _____

☐ Processing and retention fee
(\$130.00; 37 C.F.R. §§ 1.53(d) and 1.21(l)) \$ _____

☐ Fee for international-type search report
(\$40.00; 37 C.F.R. § 1.21(e)) \$ _____

NOTE: 37 C.F.R. § 1.21(l) establishes a fee for processing and retaining any application that is abandoned for failing to complete the application pursuant to 37 C.F.R. § 1.53(f) and this, as well as the changes to 37 C.F.R. §§ 1.53 and 1.78(a)(1), indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee must be paid, or the processing and retention fee of § 1.21(l) must be paid, within 1 year from notification under § 53(f).

Total fees enclosed \$ 385

14. Method of Payment of Fees

☒ Check in the amount of \$ 385

☐ Charge Account No. _____ in the amount of
\$ _____

A duplicate of this transmittal is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).

(New Application Transmittal [4-1]—page 8 of 11)

15. Authorization to Charge Additional Fees

WARNING: If no fees are to be paid on filing, the following items should not be completed.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.

☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 08-1500:

☒ 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

☒ 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☒ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☒ 37 C.F.R. § 1.17(a)(1)–(5) (extension fees pursuant to § 1.136(a)).

☒ 37 C.F.R. § 1.17 (application processing fees)

NOTE: “. . . A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission.” 37 C.F.R. § 1.136(a)(3).

☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).

NOTE: 37 C.F.R. § 1.28(b) requires “Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . the issue fee. . . .” From the wording of 37 C.F.R. § 1.28(b), (a) notification of change of status must be made even if the fee is paid as “other than a small entity” and (b) no notification is required if the change is to another small entity.

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007200 68790560

16. Instructions as to Overpayment

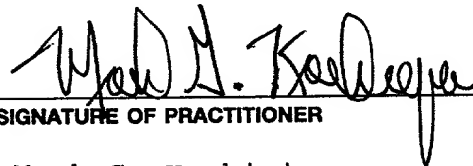
NOTE: "... Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).

☒ Credit Account No. 08-1500
☐ Refund

Reg. No. 32,840

Tel. No. (918) 587 2000

Customer No.


SIGNATURE OF PRACTITIONER

Mark G. Kachigian
(type or print name of attorney)

228 West 17th Place
P.O. Address

Tulsa, Oklahoma 74119

(New Application Transmittal [4-1]—page 10 of 11)

☐ **Incorporation by reference of added pages**

(check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-I-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED)

- ☒ Plus Added Pages for New Application Transmittal Where Benefit of Prior ~~U.S.~~ U.K. Application(s) Claimed

Number of pages added 1

- ☐ Plus Added Pages for Papers Referred to in Item 4 Above

Number of pages added _____

- ☐ Plus added pages deleting names of inventor(s) named in prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.

Number of pages added _____

- ☐ Plus "Assignment Cover Letter Accompanying New Application"

Number of pages added _____

☐ **Statement Where No Further Pages Added**

(if no further pages form a part of this Transmittal, then end this Transmittal with this page and check the following item)

- ☐ This transmittal ends with this page.

18. Relate Back—35 U.S.C. 119 Priority Claim for Prior Application

The prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 17B, in turn itself claim(s) foreign priority(ies) as follows:

GB	9903830.9	19 February 1999
Country	Appln. no.	Filed on

The certified copy(ies) has (have)

- ☐ been filed on _____, in prior application 0 / _____, which was filed on _____.
- ☒ ~~is (are) attached~~ will follow

WARNING: The certified copy of the priority application that may have been communicated to the PTO by the International Bureau may **not** be relied on without any need to file a certified copy of the priority application in the continuing application. This is so because the certified copy of the priority application communicated by the International Bureau is placed in a folder and is not assigned a U.S. serial number unless the national stage is entered. Such folders are disposed of if the national stage is not entered. Therefore, such certified copies may not be available if needed later in the prosecution of a continuing application. An alternative would be to physically remove the priority documents from the folders and transfer them to the continuing application. The resources required to request transfer, retrieve the folders, make suitable record notations, transfer the certified copies, enter and make a record of such copies in the Continuing Application are substantial. Accordingly, the priority documents in folders of international applications that have not entered the national stage may not be relied on. Notice of April 28, 1987 (1079 O.G. 32 to 46).

19. Maintenance of Copendency of Prior Application

NOTE: The PTO finds it useful if a copy of the petition filed in the prior application extending the term for response is filed with the papers constituting the filing of the continuation application. Notice of November 5, 1985 (1060 O.G. 27).

- A.** ☐ Extension of time in prior application

(This item **must** be completed and the papers filed in the prior application, if the period set in the prior application has run.)

- ☐ A petition, fee and response extends the term in the pending **prior** application until _____.
- ☐ A **copy** of the petition filed in prior application is attached.

- B.** ☐ Conditional Petition for Extension of Time in Prior Application

(complete this item, if previous item not applicable)

- ☐ A conditional petition for extension of time is being filed in the pending **prior** application.
- ☐ A **copy** of the conditional petition filed in the prior application is attached.

Applicant: RICHARD PAUL WHITTINGTON

Attorney's Docket

Serial or Patent No:

BAI525-125/00138

Filed or Issued:

For:

**METHOD FOR CONSTRUCTING A PROCESS-
DRIVEN INFORMATION SYSTEM**

**VERIFIED STATEMENT (DECLARATION)
CLAIMING SMALL ENTITY STATUS
[37 CFR SECTION 1.9 (f) and SECTION 1.27 (b)]
INDEPENDENT INVENTOR**

As the below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

METHOD FOR CONSTRUCTING A PROCESS-DRIVEN INFORMATION SYSTEM

described in:

- ☒ the specification filed herewith.
☐ Application Serial No. _____
☐ Patent No. _____ issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed are under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization
☒ persons, concerns or organizations listed below*

* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. [37 CFR 1.27].

FULL NAME: The Salamander Organisation Ltd ☐ Individual

ADDRESS:

The Innovation Centre
York Science Park,
York, YO10 5DG
United Kingdom

☒ Small Business Concern
☐ Non Profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status

resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)].

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR

RICHARD PAUL WHITTINGTON



Signature of Inventor

16 Feb 2000
Date

0019185875603-02400-0019185875603

Applicant: SIMON ROBERT SMITH

Serial or Patent No:

Attorney's Docket

BAI525-125/00138

Filed or Issued:

For:

METHOD FOR CONSTRUCTING A PROCESS-DRIVEN INFORMATION SYSTEM

VERIFIED STATEMENT (DECLARATION)

CLAIMING SMALL ENTITY STATUS

[37 CFR SECTION 1.9 (f) and SECTION 1.27 (b)]

INDEPENDENT INVENTOR

As the below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

METHOD FOR CONSTRUCTING A PROCESS-DRIVEN INFORMATION SYSTEM

described in:

- ☒ the specification filed herewith.
☐ Application Serial No. _____
☐ Patent No. _____ issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed are under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization
☒ persons, concerns or organizations listed below"

* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. [37 CFR 1.27].

FULL NAME: The Salamander Organisation Ltd ☐ Individual

ADDRESS:

The Innovation Centre
York Science Park,
York, YO10 5DG
United Kingdom

☒ Small Business Concern

☐ Non Profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status

resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)].

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR

SIMON ROBERT SMITH

Sim Smith

Signature of Inventor

14/02/00

Date

004720 68150500

Applicant(s) or Patentee(s): THE SALAMANDER ORGANISATION LTD

Serial or Patent No:

Filed or Issued:

For:

**METHOD FOR CONSTRUCTING A PROCESS-
DRIVEN INFORMATION SYSTEM**

**VERIFIED STATEMENT (DECLARATION)
CLAIMING SMALL ENTITY STATUS
[37 CFR SECTION 1.9 (f) and SECTION 1.27 (b)]
SMALL BUSINESS CONCERN**

We hereby declare that we are

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN The Salamander Organisation Ltd
ADDRESS OF CONCERN The Innovation Centre
York Science Park, York, YO10 5DG
United Kingdom

We hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d) for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

We hereby declare that rights under contract of law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled

METHOD FOR CONSTRUCTING A PROCESS-DRIVEN INFORMATION SYSTEM

described in:

- [X] the specification filed herewith.
[] Application Serial No.
[] Patent No. _____ issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or

organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

* Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME OF CONCERN _____

ADDRESS OF CONCERN _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON PROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON PROFIT ORGANIZATION

We acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement of small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

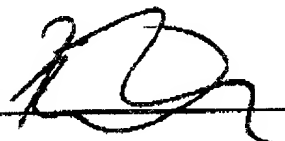
NAME OF PERSON SIGNING

RP WHITTINGTON

TITLE OF PERSON OTHER THAN OWNER

DIRECTOR

SIGNATURE



DATE

14 Feb 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Unknown)
Filing Date: Unknown)
Priority Date: 19 Feb 1999)
Applicants: Simon Robert Smith and)
Richard Paul Whittington)
For: METHOD FOR CONSTRUCTING A)
PROCESS-DRIVEN INFORMATION)
SYSTEM)

PRELIMINARY AMENDMENT

Assistant Commissioner For Patents
Box: New Application
Washington, D.C. 20231

Dear Sir:

This is a preliminary amendment to the enclosed application entitled "Method For Constructing A Process-Driven Information System". Please amend the specification as follows:

Before the first paragraph on page 1, please insert

--CROSS-REFERENCE TO RELATED APPLICATIONS

This application claims priority to GB Application No. 9903830.9 filed 19 February 1999.

BACKGROUND OF THE INVENTION--;

On page 3 before line 17 insert the following heading:

--SUMMARY OF THE INVENTION--;

Page 5 before line 13 insert the following heading:

--BRIEF DESCRIPTION OF THE DRAWINGS--;

Page 6 before line 17 insert the following heading:

--DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT--;

Page 9 after line 6 add the following:

--While the invention has been described with a certain degree of particularity, it is manifest that many changes may be made in the details of construction and the arrangement of components without departing from the spirit and scope of this disclosure. It is understood that the invention is not limited to the embodiments set forth herein for purposes of exemplification, but is to be limited only by the scope of the attached claim or claims, including the full range of equivalency to which each element

--

REMARKS

The application should now be in condition for examination, which is respectfully requested.

Respectfully Submitted

HEAD, JOHNSON & KACHIGIAN

Dated: February 17, 2000

BY: Mark G. Kachigian
Mark G. Kachigian, Reg. No. 32,840
228 West 17th Place
Tulsa, Oklahoma 74119
(918) 584-4187
Attorneys for Applicant

Method For Constructing a Process-Driven System

The present invention relates to a method for constructing a process-driven information system, and more particularly to a method for the development of business process models for distribution through web browsers, and the provision of access to diverse information sources and system functionality through said models.

The development and distribution of process models is increasingly valued as the focus for many business improvement endeavours, ensuring that business workers appreciate how their part of the business works and how their contribution relates to other parts of the business. The value of process models can come both from enhanced business performance, and from the reduction in risk of failures of adherence to best practise, whether that best practise is defined within the organisation or by a regulatory body.

Realising the potential value of process models requires the dissemination of models which fulfil the following requirements:

- 1) Can reflect various aspects of the business processes; and
- 2) Which actively support the business workers in carrying out their work.

As an example of the first requirement, a product delivery process is likely to require co-ordination between technical, financial, logistical and marketing responsibilities; and an individual financial analyst needs to be able to identify the tasks currently required of them, and to appreciate the context of their analysis, including the likely consequences of their judgements or recommendations.

As an example of the second requirement, said product delivery process is likely to require computer support which is integrated with the various coordinated responsibilities, and available to a financial analyst within the context of these responsibilities.

Inventions in the field of process modelling have attempted to address the first of these requirements e.g. by providing graphical representations of processes [US5819270], or mapping processes to workflow structures [US5630069], and this work is cited here as prior art. These inventions provide a visualisation of business processes in the context of business intent and direction. A number of prior approaches exist to disseminate business models widely across a business, typically comprising business modelling software combined with a facility to generate a set of web based pages representing these models, navigable by business workers. However these approaches do not provide for the enactment of processes i.e. the manipulation of resources by workers which are required to put the business steps which are the subject of the models into practice.

Inventions in the field of process enactment and workflow have attempted to address the second of these requirements, through:

- A. Methods and apparatus for developing workflow systems to support ordered activities carried out by a collection of users and examples of this are disclosed in the prior art patents US05799297, US05216592, US05301320, US0574661.
- B Systems to address the task needs of users independently of their co-workers and an example of this is disclosed in US0553861

These documents illustrate systems to provide support for the manipulation of business resources by workers, but typically lack

visualisation, contextual positioning and awareness for workers within the processes of a business.

There have been previous attempts to bring these two areas of business process modelling and understanding, and resource manipulation, together using workflow systems to address specialist functional requirements such as illustrated in US05745901 or using specific modelling languages of tasks and actions as illustrated in US05734837, so concentrating only on processes which are to have an enactment through computer support. The call centre is a typical embodiment of such a concept. Products which attempt a more general linking of these two areas have used proprietary technologies to do so.

It is therefore an aim of the present invention to provide a general, open method for a process model, which addresses both of the requirements illustrated above and to allow the potential value of the business modelling as outlined in the above to be realised.

According to the present invention there is provided a method for creating a process-driven information system, said method comprising the following steps:

- creating a process model of a system comprising one or more elements, said model created in a browser-compatible format
- using this model to identify the requirements for software support
- creating one or more software components in a browser-compatible format satisfying these requirements
- generating a process-driven information system comprising said one or more elements of said process model acting as the user interface to said software components

Typically the process model is part of a general purpose graphical business model.

In one embodiment the software components are accessed by the user selection of one or more of the process model elements. Typically the process model is illustrated on a display screen and the elements can be selected by any conventional user control system such as mouse, keyboard etc. and when an element is selected an appropriate display is generated for any associated software component.

Further preferably the process model is accessible via a web browser.

Typically the one or more elements of the process model are provided in a tool which uniquely identifies each element and maps each element to one or more software components, in one example, in the form of arbitrary alternative web pages and/or web-based resources.

In use, a modeller/user follows the method described above to create a set of general purpose graphical business models containing various linked elements in a tool, said tool able to generate models which are accessible by a web browser and which links the model elements in the browser by uniquely identifying each element and corresponding web page. A preferred embodiment of the invention allows the modeller to preview the web page of a model element, and map this model element to an arbitrary alternative web-based resource.

In addition, a preferred embodiment of the present invention implements the concept of user-driven information system development utilising open standards in process modelling and

software component development based on web browser technologies.

The advantage of the present invention is that it provides a method for creating a process driven information system which can communicate and disseminate arbitrary business intent, additionally providing the task support characteristics of workflow software, typified by its ability to provide coordination and awareness support for business users carrying out their work within the organisation. The method allows non-technical users to rapidly create process models which describe the working of an organisation. The models can be used as the user interface for directing the operation of a collection of software components.

Embodiments of the invention will now be described with reference to the accompanying Figures wherein:

Figure 1 represents an embodiment of the architecture of the apparatus of the present invention;

Figure 2 shows a screen display of a 'Care Planning and Delivery Process';

Figure 3 shows a screen display of the 'Care Planning and Delivery Process' utilising a process model in accordance with the invention, allowing a preview of the web-based model generated from the business modelling software;

Figure 4 shows a screen display allowing the searching of a patient database;

Figure 5 shows a screen display of the drag-and-drop of the web-based form from Figure 4 onto the model element 'Find a Patient' in accordance with the invention;

Figure 6 shows a screen display of the electronic form from Figure 4 mapped to the model element 'Find a Patient' in accordance with the invention;

Figure 7 shows a screen display of the mapping between the electronic form from Figure 4 and the model element 'Find a Patient';

Figure 8 shows a screen display of the published model 'Care Planning and Delivery' in accordance with the invention;

Figure 9 shows a screen display of the published form, navigated to from the model element 'Find a Patient', and parameterised by the user;

Figure 10 shows a screen display of the results returned from the populated form.

The models for this example were generated using a process modelling tool, "MooD Business Developer", and Mood Web Publisher, TM Mood and the screen display of the web-based form was developed in "Microsoft Visual InterDev" TM Microsoft. It should however be appreciated that other alternative products could be used to perform the same functions.

In the following description, an example of the method according to the invention is referred to as "PSIM" (Process-Systems Integration Method). The underlying concept of PSIM is to harmonise the enactment of business processes with the delivery of associated

computer support by linking graphical maps of arbitrary business processes to software resources used in the support of those processes, presenting a consistent operating interface for all users. A preferred embodiment of PSIM is shown in Figure 1 and is as follows:

1. A modelling team creates a set of process models 2 representing the business to be modelled and a tool 4 which generates browser-compatible outputs is used, also noting the software behaviour (e.g. information access and information recording) required to support each process.
2. A development team creates a set of browser-compatible resources (e.g. software components or documents) 6 based on the requirements determined in step 1.
3. The modelling and/or development team creates a mapping between model elements and software components such as documents or databases in accordance with the invention 8, which stores the mappings and modifies the collection of web pages appropriately.
4. The resulting PSIM system 10 is published to the user community 12.
5. The above 4 steps are typically periodically repeated in a review cycle in which the process models and resources of the PSIM system 10 are revised and re-published.

An example which illustrates the first four steps of the above preferred embodiment is as follows:

A process model is required to be developed for a healthcare process:

2. A team of software developers develops a set of browser-based software component applications to implement the behaviour required by the processes developed in step one. Figure 4 depicts an example of a ‘Find Patient’ Form 16 which can be used to list all patients recorded in a particular database matching a certain surname.

4. The system is published in the form of a web-site, with web pages for process models interleaved with active pages providing access to appropriate software behaviour. Figure 8 gives an illustration of the

Figure 9 illustrates the result of a user selecting a model element ‘Find a Patient’ depicted in Figure 8 and typing in some text to the text field. Figure 10 depicts the result of the user selecting the ‘Find’ button on the form depicted in Figure 9.

Claims:-

1. A method for creating a process-driven information system, said method comprising the following steps:
 - creating a process model of a system comprising one or more elements, said model created in a browser-compatible format
 - using this model to identify the requirements for software support
 - creating one or more software components in a browser-compatible format satisfying the requirements for software support
 - generating a process-driven information system comprising said one or more elements of said process model acting as the user interface to said software components
2. A method according to claim 1 wherein the process model is part of a set of general purpose graphical business models.
3. A method according to claim 2 wherein the process models are accessible via a web browser.
4. A method according to claim 1 wherein the one or more elements of the process model are provided in a tool which uniquely identifies each element and maps each element to one or more software components.
5. A method according to claim 1 wherein the one or more software components are in the form of arbitrary alternative web pages and/or web-based resources.

6. A method according to claim 1 wherein the software components are accessed by the user selection of one or more of the process model elements displayed on a display screen.
7. A method according to claim 7 wherein the process model is illustrated on a display screen and the elements can be selected by any conventional PC based user control system.

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ABSTRACT

Method for Creating a Process-Driven System

A method for creating a process-driven information system. The method comprises the steps of creating a process model or models comprising one or more elements which are available in a browser-compatible format, creating one or more software components which are accessible in a browser compatible format and generating a process-driven information system comprising one or more elements of the process model which act as the user interface to the one or more software components. This method allows the rapid creation by non-technical users of process models describing the working of an organisation with the models being used as the user interface for directing the operation of a collection of software components.

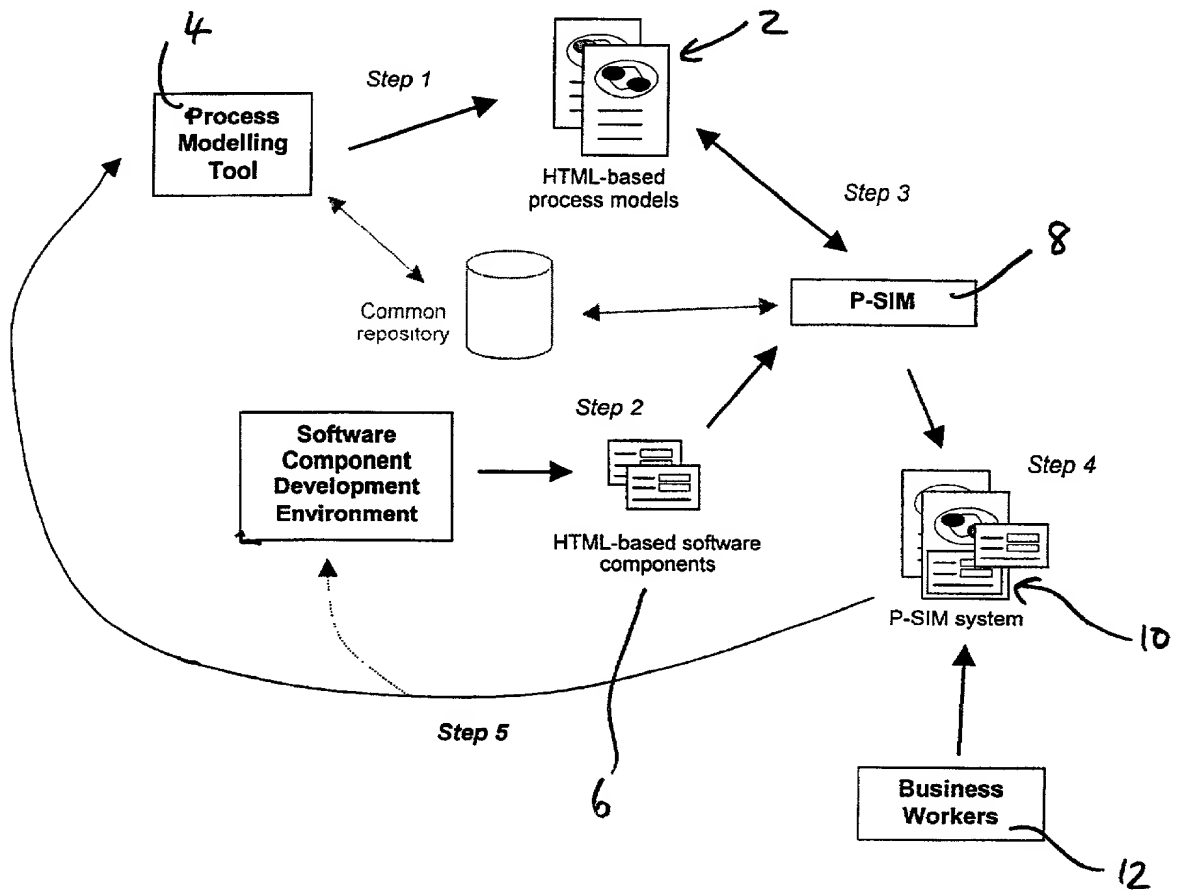
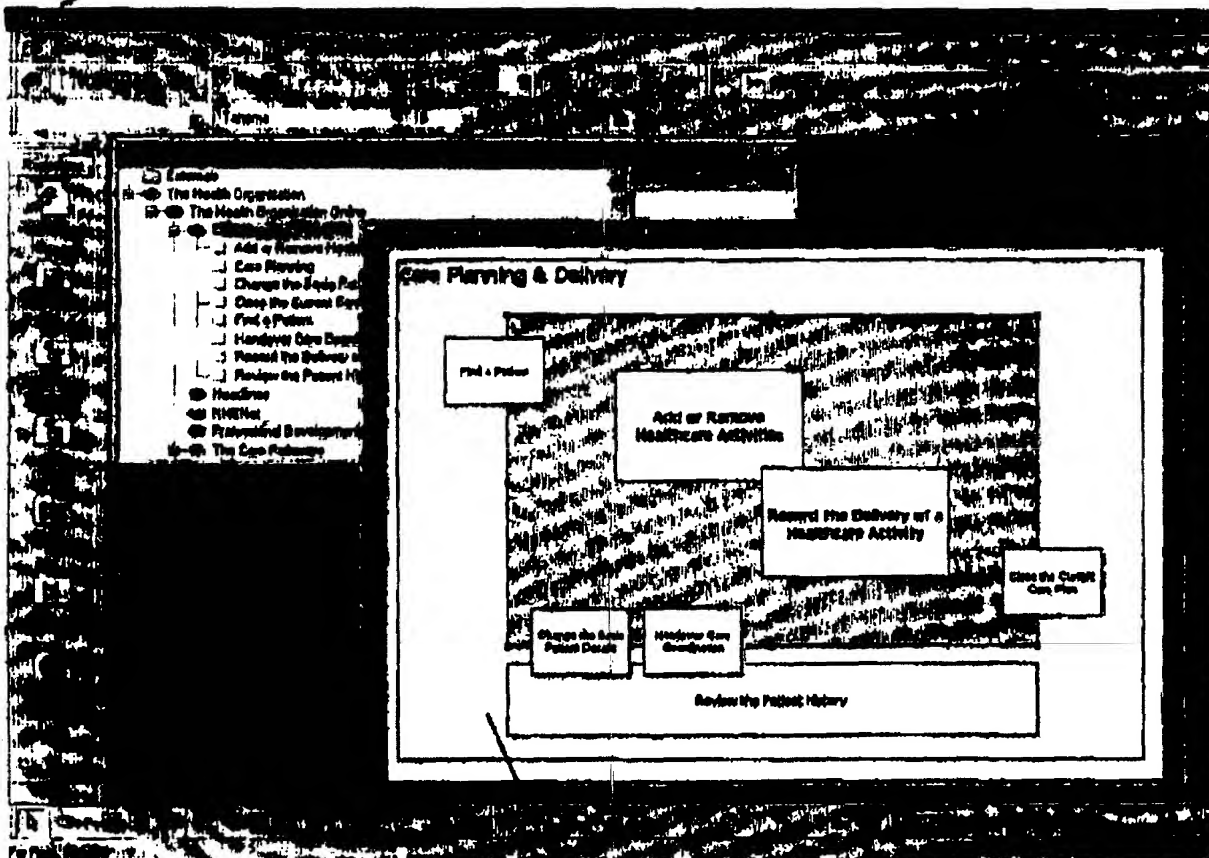


Figure 1. Preferred Embodiment of P-SIM

14



12

Figure 2.

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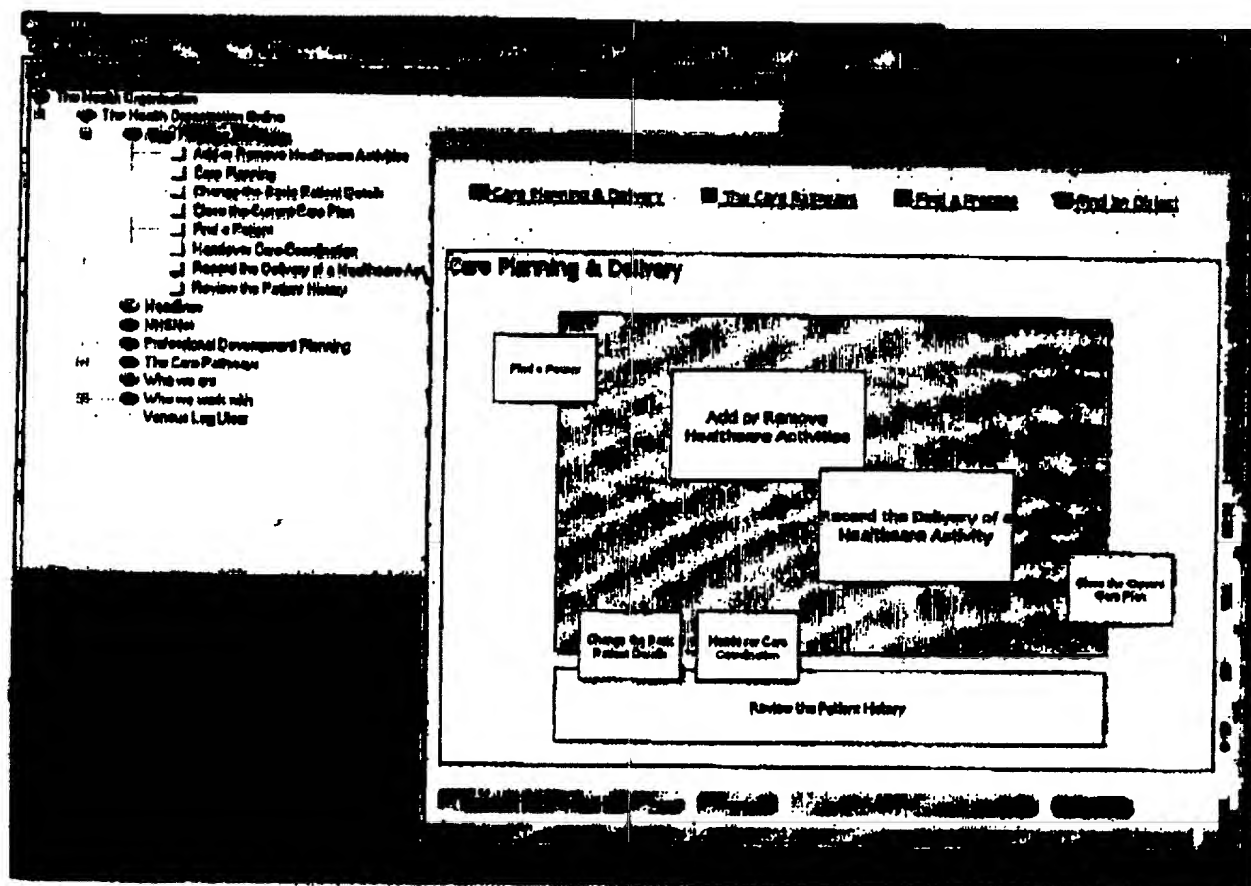


Figure 3.

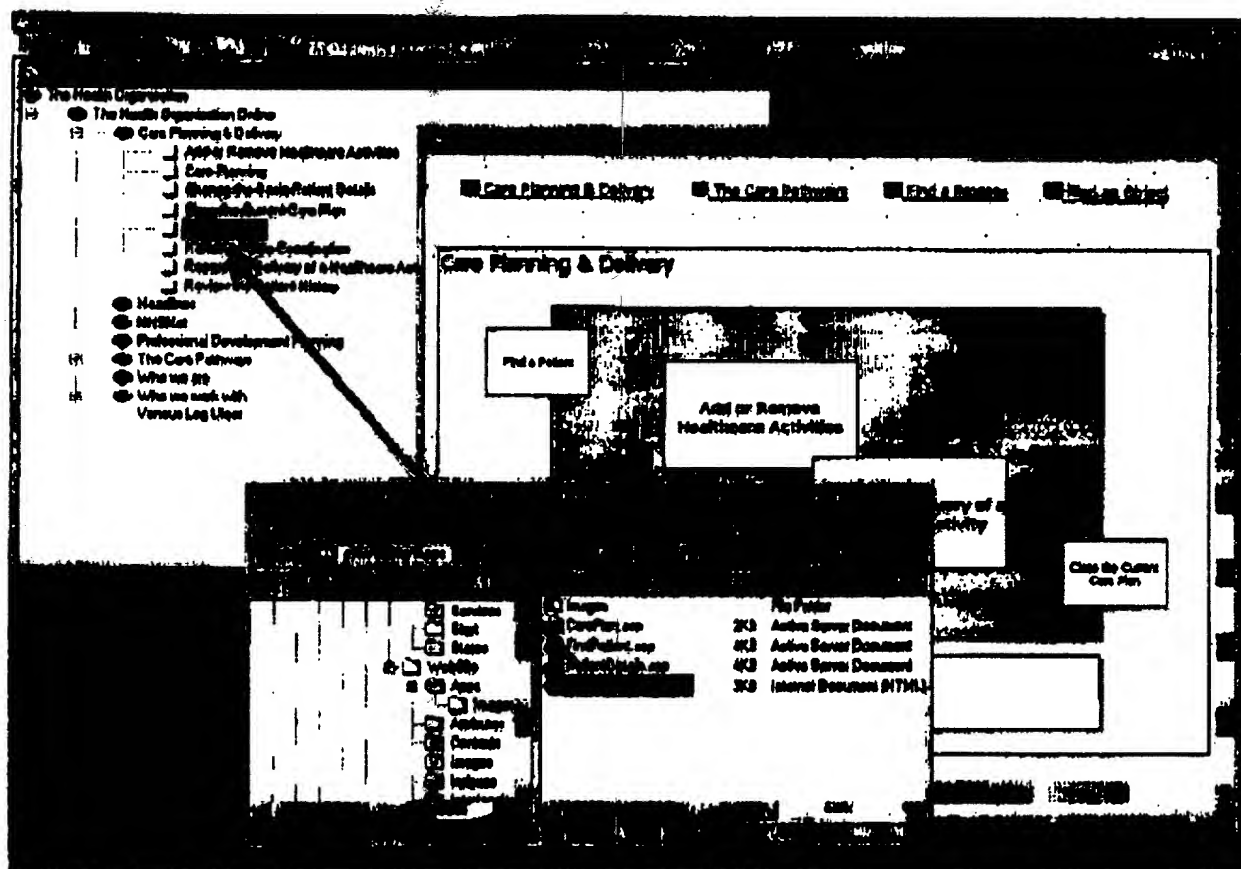


Figure 5.

Figure 1 displays 12 histograms arranged in a 6x2 grid, showing the distribution of the number of non-zero elements in the vector x for different values of n and m . The columns represent $n=10$ and $n=20$, and the rows represent $m=10, 20, 30, 40, 50, 60$. Each histogram has 'Number of non-zero elements' on the x-axis and 'Frequency' on the y-axis. The distributions are roughly bell-shaped and centered around $n/2$.

[illegible]

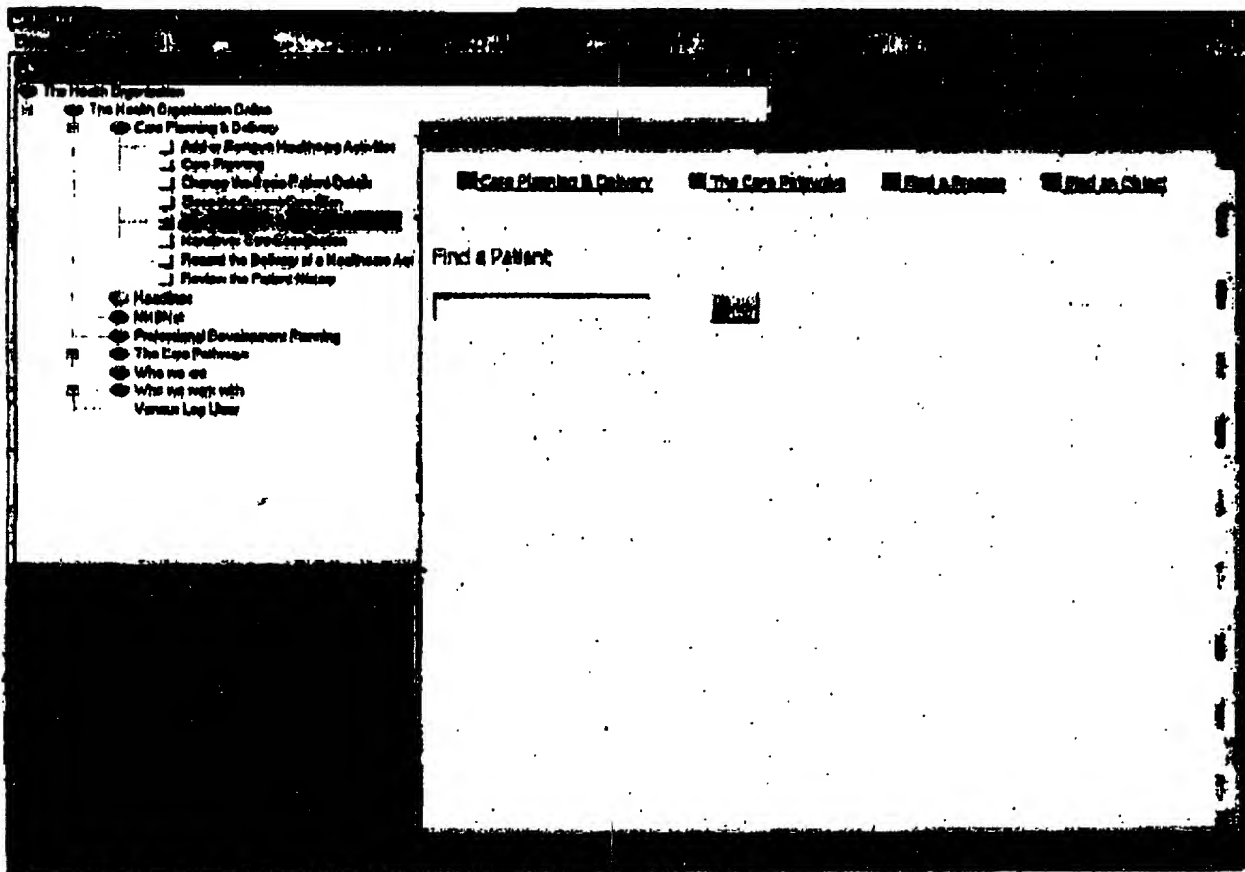


Figure 6.

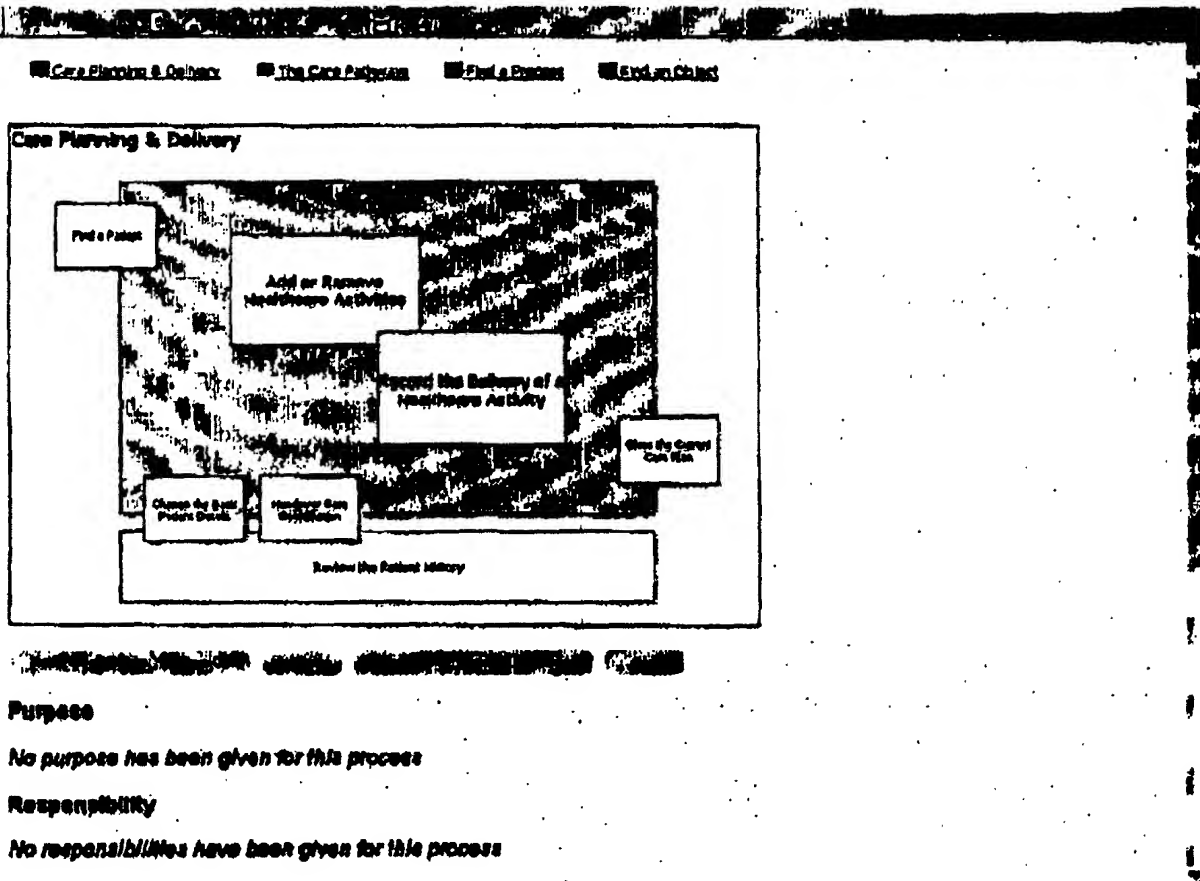
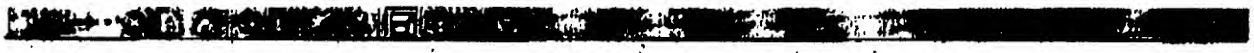


Figure 8.



☐ Case Planning & Delivery ☐ The Case Pathways ☐ Find a Process ☐ Find an Object

Find a Patient

None



00720 6849660

Figure 9.

☐ Care Planning & Delivery☐ The Care Package☐ Child's Record☐ Find an Child

Choose a Patient

<input type="checkbox"/>	Bill McPherson	14/05/91 Age 14
<input type="checkbox"/>	Alexander John McPherson	14/05/91 Age 14
<input type="checkbox"/>	George Andrew McPherson	14/05/91 Age 14
<input type="checkbox"/>	Olivia McPherson	14/05/91 Age 14

Figure 10.

002720 02750560

COMBINED DECLARATION AND POWER OF ATTORNEY
(Original, Design, National Stage Of PCT, Supplemental)

As the below named inventors, we hereby declare that:

This declaration is of the following type:

- ☒ original
☐ design
☐ national stage of PCT
☐ supplemental

Our residence, post office address and citizenship are as stated below next to our names, we believe we are the original, first and sole inventors (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR CONSTRUCTING A PROCESS-DRIVEN INFORMATION SYSTEM

the specification of which:

(a) ☒ is attached hereto

(b) ☐ was filed on _____ as _____ or ☐ Express Mail No., as Serial No. not yet known _____ and was amended by Preliminary amendment

(c) ☐ was described and claimed in PCT International; Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by the Preliminary Amendment attached hereto.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

☐ In compliance with this duty there is attached an information disclosure statement 37 CFR 1.97.

We hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by us on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(d) ☐ no such applications have been filed.

(e) ☒ such applications have been filed as follows:

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED <u>UNDER 37 USC 119</u>
<u>Great Britain</u>	<u>9903830.9</u>	<u>19 February 1999</u>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

As the named inventors, we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Paul H. Johnson, Reg. No. 19,224 and/or Mark G. Kuchigian Reg. No. 32,840 and/or Brent A. Capehart Reg. No. 39,620 of the firm of HEAD, JOHNSON &

British Subject
The Innovation Centre, York Science Park, York, YO10 5DG United Kingdom